

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DEBORAH M. LUMBARD,
Plaintiff,

v.

C.A. NO. 05-CV-11124PBS

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA and STATE
STREET BANK AND TRUST
COMPANY,
Defendants

**DEFENDANT'S, STATE STREET BANK AND TRUST COMPANY,
LOCAL RULE 16.4 CERTIFICATION**

Pursuant to rule 16.4 of the local rules of the U.S. District Court For The Eastern District Massachusetts, the undersigned counsel for the State Street Bank and Trust Company and the undersigned State Street Bank and Trust Company representative certify that we have conferred over the potential costs of litigation and litigation alternatives and have considered resolution of this litigation through the use of alternative dispute resolution.

Respectfully submitted,
STATE STREET BANK AND TRUST COMPANY,



Boon Ooi
Senior Vice President
Compensation and Benefits
State Street Bank and Trust Company
One Lincoln Street
Boston, MA 02111

By Its Attorneys,



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CERTIFICATE OF SERVICE

I, Carey L. Bertrand, hereby certify that a true copy of the foregoing *document* was served upon all counsel of record by forwarding a copy of the same, first class mail, postage prepaid on this 8th day of September 2005 to:

James T. Finnegan, Esq.
Rich May, a Professional Corporation
176 Federal Street
Boston, MA 02110

/s/ Carey L. Bertrand
Carey L. Bertrand